

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

November 16, 1999

DIVISION ONE

Court convened at 9:00 A.M.

Present: Vogel (Miriam A.), Acting P.J., Masterson, J., and S. Beaux, Deputy Clerk.

Each of the following:

B123702 People v. Green
B125499 People v. Santa Cruz & Espinoza
B125968 Rashi et al v. Davidson
B126458 People v. Pugh
B126476 People v. Lowe
B126996 People v. Fernandez & Celio
B127083 People v. Fitzpatrick
B127098 People v. Perkins
B127428 Figueroa v. Hearron
B127567 People v. Connor
B127691 People v. Staine
B128314 People v. Galindo
B128343 People v. Dowden
B128500 Department of Children and Family Services v. Monica D.
B128690 People v. Lozano
B129992 People v. Bernandez
B130225 In re Shannon H. et al.
B130695 People v. Claros
B131180 Department of Children and Family Services v. Michelle M.

Argument waived, cause submitted.

DIVISION ONE (Continued)

B122444 Lockhart
 v.
 KMART Corp.

Merits:

Argued by Kirk C. Jenkins for appellant KMART and John H. Wolf for appellant Lockhart. Counsel waive presence of Presiding Justice Spencer. Cause submitted.

B122970 The People
 v.
 Hooker

Merits:

Argued by Michael McPartland for appellant and by Roy C. Preminger, Deputy Attorney General, for respondent. Counsel waive presence of Presiding Justice Spencer. Cause submitted.

B126344 Los Angeles County, D.C.F.S.
 v.
 Ruben H., et al.

Merits:

Argued by Andrew E. Smyth for appellant and by Dale Thetford, Deputy County Counsel, for respondent. Counsel waive presence of Presiding Justice Spencer. Cause submitted.

B131286 Struthers
 v.
 Paul Hastings Janofsky & Walker

Merits:

Argued by Benjamin L. Hecht for appellant and by John C. Steele for respondent. Counsel waive presence of Presiding Justice Spencer. Cause submitted.

DIVISION ONE (Continued)

B121945 Romero
 v.
 Rojas et al.

Merits:

Argued by Krishna R. Malhotra for appellant and by no appearance for respondent. Counsel waives presence of Presiding Justice Spencer. Cause submitted.

B125690 Zomorodian et al.
 v.
 Poursaid

Merits:

Argued by Francis E. Smith for appellant and by H. Preston Hawkins for respondent. Counsel waive presence of Presiding Justice Spencer. Cause submitted.

B117049 Perera
 v.
 Windsor

Merits:

Argued by Dale K. Galipo for appellant and by Douglas G. Carroll for respondent. Counsel waive presence of Presiding Justice Spencer. Cause submitted.

Court adjourned.

B132480 People
 v.
 Steven Jason H.

Filed order denying petition for rehearing.

DIVISION TWO

B128673 People (Not for Publication)
v.
Gilbreath

Due to the death of appellant, this appeal and all trial court proceedings are ordered permanently abated. The superior court is directed to enter an order to that effect.

Nott, J.

We concur: Boren, P.J.
Mallano, J. (Assigned)

[illegible]

The Court:

The judgment is affirmed.

Boren, P.J., Nott, J., Cooper, J.

B128086 Asiedu (Not for Publication)
v.
State Department of Social Services et al.

The judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
Mallano, J. (Assigned)

DIVISION TWO (Continued)

B123526 People (Not for Publication)
v.
Johnson

The Court:

The matter is remanded for resentencing in accordance with the views expressed herein. In all other respects, the judgment is affirmed.

Nott, Acting P.J., Cooper, J., Mallano, J. (Assigned)

DIVISION THREE

B133363 People (Not for Publication)
v.
Jimenez

The judgment (order revoking probation) is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

DIVISION FOUR

B133812 Lisa M. (Not for Publication)
v.
Superior Court, Los Angeles County
(Los Angeles County Department of Children and Family Services, r.p.i.)

The petition for extraordinary writ is denied.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

DIVISION FIVE

B130749 People (Not for Publication)
v.
Pandy-Green

The appeal is dismissed.

Turner, P.J.

We concur: Grignon, J.
Armstrong, J.

B100743 The People ex rel. (Not for Publication)
B105073 Department of Corporations
v.
Speedee Oil Change Systems, Inc.

The order under review is reversed. The matter is remanded to the trial court for proceedings consistent with the Supreme Court opinion. In the interests of justice, the parties are to bear their own costs on appeal.

Turner, P.J.

We concur: Grignon, J.
Armstrong, J.

B126821 People
v.
Mateo Enriquez Gonzalez

Filed order denying petition for rehearing.

DIVISION SIX

[illegible]

The order awarding wife \$373 in child support is reversed. We remand to the trial court for a recomputation of the time-share figures and a recalculation of support based on the correct time-share determination. Should the court exercise its discretion to depart from the uniform guidelines, its reasons must be either written or stated on the record in conformance with section 4056. Costs to appellant.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

B132985 People (Not for Publication)
v.
Arellano

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
 Yegan, J.

DIVISION SEVEN

B125770 People (Not for Publication)
v.
Nguyen

The judgment is affirmed.

Neal, J.

We concur: Lillie, P.J.
Woods, J.

DIVISION SEVEN (Continued)

B128748 People (Not for Publication)
v.
Cornejo

The judgment is affirmed.

Neal, J.

We concur: Johnson, Acting P.J.
 Woods, J.

B127895 People (Not for Publication)
v.
Torres

The judgment is affirmed.

Neal, J.

We concur: Lillie, P.J.
Woods, J.

B116312 Drexler (Not for Publication)
v.
Schafler

The judgment is reversed. The parties shall bear their own costs on appeal.

Neal, J.

We concur: Lillie, P.J.
Woods, J.

DIVISION SEVEN (Continued)

B129489 People (Not for Publication)

V.

Elias

Henschel v. County of Los Angeles

The appeal is dismissed. Respondent is entitled to its appellate costs.

Woods, J.

We concur: Lillie, P.J.

Johnson, J.

B127653 The People

V.

David James Hardin

Filed order denying petition for rehearing.